

Serial No.: 10/091,152

In response thereto, Applicant elects, with traverse, the invention of Group I, namely claims 1-37 and 54-60.

Reconsideration and withdrawal of the restriction requirement is respectfully requested. It is respectfully submitted that the product and process claims are so interrelated that they are best examinable in a single application. A complete search for the subject matter of any of the three groups should include a search for the subject matter of the other two groups.

It is submitted that searching and examining all of the claims in a single application would be more expeditious and would present an undue burden on the USPTO. Accordingly, it is respectfully requested that the restriction requirement be reconsidered and withdrawn.

B. Election of Species Requirement

In Paragraph 5 of the Office Action, four different patentably distinct species of the invention were identified:

- i. A multilayered film comprising a nylon film, silicone oil and a sealant film (claims 1-17 and 54-56).
- ii. A multilayered film comprising two nylon layers, an ethylene vinyl alcohol layer and a sealant layer (claims 18-28).
- iii. A multilayered film comprising one nylon 6, nylon 66 or nylon 6/6,6 layer and a sealant layer comprising ethylene vinyl alcohol (claims 29-37).
- iv. A multilayered film comprising one nylon 666 layer and a sealant layer comprising ethylene vinyl alcohol (claims 57-60).

Claim 1 was considered generic.

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In response to such requirement, Applicant elects, with traverse, the species of Group iii. Claims readable thereon are claims 29-37 as correctly grouped by the Examiner.

It is submitted that the foregoing is in full response to the requirements set forth in the Office Action. Applicant looks forward to an examination on the merits.

Should the Examiner believe that a discussion with Applicant's representative would in any way advance the prosecution of this application, he is respectfully requested to telephone the undersigned.

Respectfully submitted,

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Facsimile Certification

I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office (FAX No. 703-872-9310) on August 11, 2003.

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